



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,619	12/17/1999	JOSEPH FOBERT	7000-65	1389

27820 7590 12/18/2003

WITHROW & TERRANOVA, P.L.L.C.
P.O. BOX 1287
CARY, NC 27512

EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
----------	--------------

.2645

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

12/17/1999

Office Action Summary

Application No.

09/466,619

Applicant(s)

FOBERT ET AL.

Examiner

Olisa Anwah

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 19 is/are pending in the application.
- 4a) Of the above claim(s) 12-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2645

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 2, 3, 9, 10 and 19 are rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson et al, U.S. Patent No. 5,533,102 (hereinafter Robinson) in view of Rogers et al, U.S. Patent No. 5,946,386 (hereinafter Rogers).

Regarding claim 1, Robinson discloses a client server network for managing voice data comprising:

a client terminal (12) for receiving voice data from a caller;

a graphical display (20), for conveying information to a client terminal user;

a client terminal controller (14), for controlling the client terminal;

Art Unit: 2645

a terminal proxy server (38) responsive to control data for sending synchronized signals to the client terminal (12) and the client terminal controller (14) to notify a client terminal user of the incoming voice data, the client terminal controller (14), in response to a synchronized signal, adapted to retrieve information about the incoming caller and convey the information to the client terminal user on the graphical display (col. 7, lines 65-67); and

a graphical user interface (Figure 3), for receiving instructions from a client terminal user (12), the client terminal controller (14), in response to the instructions received from the user through the graphical user interface, adapted to perform at least one call management task on the voice data (col. 8, line 60 to col. 9, line 10).

Robinson does not disclose the voice data consists of internet protocol voice data packets. However Rogers discloses this limitation (col. 7, line 56). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson with the internet protocol voice data packets taught by Rogers. This modification allows for a system that processes various types of calls as suggested by Rogers.

Art Unit: 2645

Regarding claim 2, see col. 8, line 60 to col. 9, line 10 of Robinson.

Regarding claim 3, see col. 7, lines 65-67 of Robinson.

Regarding claim 9, see 20 of Robinson.

Regarding claim 10, see 14 of Robinson.

Regarding claim 19, Robinson discloses a client server network for managing voice data comprising:

a client terminal (12) for receiving voice data from a caller;

a graphical display (20), for conveying information to a client terminal user;

a client terminal controller (14), for controlling the client terminal;

a terminal proxy server (38) responsive to control data for sending a signal to the client terminal controller (14) to notify a client terminal user of the incoming voice data, the client terminal controller (14), in response to the signal, adapted to retrieve information about the incoming caller and convey the information to the client terminal user on the graphical display (col. 7, lines 65-67); and

Art Unit: 2645

a graphical user interface (Figure 3), for receiving instructions from a client terminal user (12), the client terminal controller (14), in response to the instructions received from the user through the graphical user interface, adapted to perform at least one call management task on the voice data (col. 8, line 60 to col. 9, line 10).

Robinson does not disclose the voice data consists of internet protocol voice data packets. However Rogers discloses this limitation (col. 7, line 56). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robinson with the internet protocol voice data packets taught by Rogers. This modification allows for a system that processes various types of calls as suggested by Rogers.

3. Claim 6 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Rogers in view of Gallant et al, U.S. Patent No. 6,636,596 (hereinafter Gallant).

With respect to claim 6, Robinson combined with Rogers does not disclose the client terminal comprises an internet protocol telephone. However Gallant discloses this limitation (see Figure

Art Unit: 2645

1). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson and Rogers with the internet protocol phone taught by Gallant. This modification would allow for voice over the internet communication as suggested by Rogers and Gallant.

4. Claim 7 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Rogers in view of Tidwell et al, U.S. Patent Application Publication No. 2001/0043687 (hereinafter Tidwell).

Regarding claim 7, the combination of Robinson and Rogers does not disclose the client terminal comprises a set top box. However Tidwell discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson and Rogers with the set top box taught by Tidwell. This modification would allow for a telephony system that provides for the establishment of telephonic communications through the use of a television as suggested by Tidwell.

5. Claim 8 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Rogers and Tidwell in

Art Unit: 2645

view of Selker, U.S. Patent Application Publication No. 2002/0122072 (hereinafter Selker).

With respect to claim 8, the combination of Rogers, Robinson and Tidwell does not disclose the graphical display comprises a television screen. However Selker discloses this limitation (paragraph 0045). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson, Rogers and Tidwell with the television screen taught by Selker. This modification would allow for various displays screens to be used as suggested by Selker.

6. Claim 4 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Rogers in view of Danne et al, U.S. Patent No. 5,946,381 (hereinafter Danne).

Regarding claim 4, the combination of Robinson and Rogers does not disclose the database comprises an address book. However Danne discloses this limitation (col. 2, lines 40-50). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson and Rogers with the address book taught by Danne. This modification would allow for the address of a

Art Unit: 2645

calling party to be presented to the called party as suggested by Danne.

7. Claim 5 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Rogers and Danne in further view of Ranalli et al, U.S. Patent No. 6,539,077 (hereinafter Ranalli).

With respect to claim 5, the combination of Robinson, Rogers and Danne does not disclose the database is a Lightweight Directory Access Protocol server. However Ranalli discloses this limitation (see Figure 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson, Rogers and Danne with the LDAP server taught by Ranalli. This modification allows further information regarding a telephone number to be retrieved as suggested by Ranalli, Danne and Robinson.

8. Claim 11 is rejected under 35 U.S.C § 103(a) as being unpatentable over Robinson combined with Rogers in further view of Jones et al, U.S. Patent No. 6,141,341 (hereinafter Jones).

With respect to claim 11, the combination of Robinson and Rogers does not disclose the client terminal comprises an

Art Unit: 2645

internet protocol gateway for converting the voice data packets to voice signals and a telephone for receiving the voice signals. However Jones discloses this limitation (see Figure 1). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Robinson and Rogers with the internet protocol gateway and telephone taught by Jones. This modification allows for voice over the internet communication as suggested by Jones and Rogers.

Response to Arguments

9. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the

Art Unit: 2645

organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah
Patent Examiner
December 10, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

